



RECORDS MANAGEMENT POLICY AND PROCEDURES

1. Purpose

This Policy is intended to provide guidelines to promote efficiency in the creation, organization, maintenance, retention, and destruction of City records in accordance with operational needs, state and federal government regulations, fiscal/legal requirements, historical, and reference purposes and to clarify staff responsibilities.

2. Policy

It is the policy of the City of Woodburn to establish guidelines for the City's Records Management Program (RMP) in compliance with the City Records Retention Schedule established by the State of Oregon's Archives Division and with all applicable Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR) related to City records, and applicable federal laws.

3. Scope

This Policy applies to all City employees, elected officials, volunteers, and interns. The City Recorder is the official Records Custodian for the City. The City Recorder's office administers the RMP.

The City will establish a RMP Committee comprised of a Records Management Coordinator (RMC) from each City department assigned by the department Director. The committee will meet quarterly or as needed to review records inventory, compliance and discuss best practices.

4. Definitions:

Active record: Records that are in active use by the department and have not met the minimum retention period. Active records are usually no older than two years.

Confidential record: Records of information requiring protection against unauthorized disclosure. When their legal retention period is reached, these records must be destroyed by shredding or incineration as supervised and witnessed.

Destruction: Once a record has served its purpose or has met the authorized minimum retention, the record is ready for final disposition and/or destruction. A Records Destruction Form is attached to this policy.

Electronic record: Any information recorded in a form that only a computer can process and that is made, received, filed, or recorded in the transaction of public business.

Microfilm: A high-resolution film containing multiple micro images.

Inactive record: A record that is used less frequently than an active record, but must be retained until the legal minimum retention has been met.

Permanent record: A record that has continuing/long-term value and is retained or preserved indefinitely. The record copy of a permanent record must be maintained in paper format.

Public record: A public record, as defined in Oregon Revised Statutes ORS 192.005 and ORS 192.311, means any information regardless of physical form or characteristics that:

1. Is prepared, owned, used or retained by a public body;
2. Relates to an activity, transaction or function of a public body;
3. Is necessary to satisfy the fiscal, legal, administrative or historical policies, requirements or needs of the public body.

A Public Record does not include extra copies of a document preserved only for convenience of reference, stock publications, messages on voice mail or other telephone message storage and retrieval systems.

Record copy: The official copy of a particular document or record.

Records Management Coordinator (RMC): The staff person designated by the Department Director to serve on the Records Management Program Committee. The Coordinator is responsible for the coordination, implementation of the Department's records and retention guidelines, and any departmental records procedures.

Records Management Program (RMP) Committee: The Committee responsible for providing recommendations regarding the operation of the records management and retention program. The Committee consists of representatives (Records Management Program Coordinator) from each department, appointed by Department Directors, and will meet quarterly or on an as-needed basis.

Records Manager: The City Recorder is designated as the City's Records Manager and is responsible for the coordination, implementation, and maintenance of the City's records management and retention program.

Retention Period: The minimum length of time a record must be kept according to legal requirements.

Storage: The most effective and efficient means of records storage, such as paper, microfilm, audio-visual, or electronic media.

Vital Record: A record that is essential to the continued functioning or reconstruction of the City during and after a disaster. Without these records, the City is challenged with continuing operations.

5. Procedures

The City will maintain a systematic records management and retention program requiring records to be organized in a standardized manner.

All records, including those stored in electronic media, will be available to the public, unless the content of the record is exempt or subject to an exception under Oregon Public Records laws.

Each department will assign the duty of RMC to an individual knowledgeable of the functions performed by the department. The RMC will administer the City's records management and retention guidelines within their department. The RMC also serves as the records liaison for the City department and is the point of contact for public records requests. The RMC will also:

- Review procedures to ensure department records are identified and retained by City personnel.
- Review new department functions, or changes to existing functions, to ensure all recordkeeping requirements have been identified.
- Coordinate with staff in the timely transfer of eligible records to an approved Electronic Management System or to the City onsite records storage designation.

Each department has the responsibility to inventory, maintain, store, retain, and dispose of all records created or received in that department by the following means:

- A record belongs to the department creating or receiving the record. The copy of the record retained by the department creating or receiving the record will be deemed the "record copy" with the exception of Ordinances, Resolutions, Agreements, Deeds, and Right-of-Ways, which will be retained by the City Recorder's office. Notwithstanding, the City Recorder, as the Records Manager, may by written directive require that the record copy of additional types of documents be retained by the City Recorder's office.
- If the department determines that a record has substantial or historical value, the record may be retained beyond the minimum retention schedule upon approval of the Department Director and City Recorder.
- If the department determines that a record series warrants retention beyond its assigned disposal date, the records may be retained beyond the minimum retention schedule upon approval of the Department Director and City Recorder.

- Records should be held by departments as long as they are required for day-to-day operations. As records become inactive, they should be prepared for storage or disposed of, consistent with the retention period.
- Each department will determine the most efficient and effective method of storage for their departmental records. Storage method must be approved by the City Recorder.
- Once a record has served its purpose and has met the minimum retention period, the department must initiate disposal of the record with a Records Destruction Form. **No records may be destroyed prior to the expiration of the established retention period.**
- The RMC will complete the Records Destruction Form, to be signed and approved by the Department Director and City Recorder prior to destruction of records.
- After the Records Destruction Form is approved, the department may dispose of the record. Public records that are confidential by law must be destroyed by shredding, pulping, or incineration. The destruction should be supervised and witnessed.
- The City Recorder will retain a signed copy of the Records Destruction Form per required retention schedule.

At least annually, each Department will review all records in its custody. Records that have reached the end of their retention period are to be destroyed pursuant to the City Records Retention Schedule. Electronic versions of those records must also be deleted at the same time.

In the event that a record or multiple records become subject to a legal hold request, all disposal must cease, even if the records were retained past their retention date. The City Attorney's Office and the City Recorder must be notified immediately upon receipt of a legal hold request and shall respond to the affected departments.

If a public records request is received for a record that was scheduled for destruction, but has not been destroyed by the City at the time of the request, the City will not destroy the record until the public records request and any potential appeal or hearing has been resolved.

No public records of fiscal transactions shall be destroyed, even though the required minimum retention period has passed, until after the required audit for the period covered by the public records has been completed.

Inappropriate destruction of records, without legal authority, may result in a misdemeanor charge of tampering with public records (ORS 162.305).

E-mail

City employees are responsible for identifying and managing their job-related e-mail correspondence to ensure that it is properly managed and retained in compliance with the City retention schedule. E-mail

retention is based on the content of the E-mail. Complete E-mail records must include all of the following elements:

- Recipient(s), including any group list members
- Sender
- Subject Line
- Text of message itself
- Time and date sent
- Complete attachment(s), which should be included in full

E-mails that are strictly personal, unsolicited marketing and advertisements (spam) do not need to be retained and should be deleted.

Records Disaster Planning

The City recognizes the importance of protecting its vital records that are essential to City operations in the event of a disaster. Vital records are those records essential to the continuity of City activities under national or regional emergency conditions.

Each department will be responsible for identifying and protecting its vital records.

6. Forms

Records Destruction Form

7. References

ORS 192 & 357

OAR Chapter 166 Division 200

29 CFR Part 1602

8. Review of Policy and Procedures

This policy will be reviewed every three years or as state and federal regulations are revised and necessitate a change in the policy or procedures.

Adopted: June 2019

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